

[PROPOSED AMENDED] Rule 9070-1

EXHIBITS

(a) ***Marking Exhibits.*** Prior to an evidentiary hearing or trial of an adversary proceeding or a contested matter, counsel for the parties shall mark and list any exhibits proposed to be introduced into evidence in compliance with this rule.

(b) ***Numbering Exhibits.*** Exhibits shall be identified numerically commencing with number 1.

(c) ***Listing Exhibits.*** All exhibits shall be listed, in order, on a separate sheet of paper which shall include the case number, adversary number, and debtor's name, designation as to plaintiff and defendant, and columns with the following headings: Exhibit Number (Exh. #), Document Description, Date Identified, Date Admitted, and With or Without Objection. A sample Exhibit List follows as Appendix A. No markings should be made on the "Identified" and "Admitted" lines; this is for the Court's use.

(d) ***Exhibit Cover Sheet.*** Each exhibit shall be preceded by an 8 1/2 x 11 Exhibit Cover Sheet following as Appendix B.

(e) ***Submitting Exhibits.*** At the commencement of a hearing or trial, each party shall submit to the courtroom deputy the original and one copy of all exhibits and the Exhibit List. Original exhibits shall not be stapled or permanently bound. Additional copies, appropriately stapled or in binders, shall be available for use by witnesses and opposing counsel. Check with the assigned judge's chambers to determine the preferred procedure for preparing exhibit binders. All exhibits produced at hearing or trial which are not premarked shall be tendered to and marked by the courtroom deputy as they are presented in evidence.

(f) ***Large Items or Exhibits Other than Paper Documents.*** Items to be introduced into evidence other than paper documents should be photographed, accompanied by an Exhibit Cover Sheet, and listed on the Exhibit List. Paper documents larger than 8 1/2 x 14 inches should be listed on the Exhibit List and accompanied by a reduced 8 1/2 x 11 inch copy and an Exhibit Cover Sheet. Counsel shall attach Exhibit Cover Sheets to both exhibits and substitutes, identifying corresponding exhibits and substitutes with the same number. Unless the Court orders otherwise, at the conclusion of the trial or hearing at which the exhibits are offered, if the clerk has custody of substitutes, the clerk will return the corresponding original exhibits to counsel.

(g) ***Exhibits in Record on Appeal.*** If an appeal is taken, substitutes will be included in the record on appeal.

(h) ***Disposal of Exhibits.*** The Clerk, with or without notice, may dispose of any unclaimed exhibits in any matter or proceeding unless notified by the appropriate party within 30 days after an order or judgment concluding a contested matter or an

adversary proceeding is entered, including the entry of an order determining any post-judgment motions, provided that no appeal is pending, or if an appeal is taken, upon filing of the mandate. Parties shall bear all costs associated with reclaiming exhibits.

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
DIVISION**

In Re: _____ Case No. _____
Chapter _____

[Name of Debtor(s)],

Debtor*.

[Name of Plaintiff], Adv. No. _____
Plaintiff,
v.
[Name of Defendant],
Defendant.

[Plaintiff/Defendant's] Exhibit List
(Hearing on Acme Bank's
Complaint to Determine Dischargeability (Doc. No. 1))
Hearing Date: _____

Exh. #	Document Description	Date Identified	Date Admitted	With or Without Objection
1	Promissory Note			

*All references to "Debtor" shall include and refer to both debtors in a case filed jointly by two individuals.

APPENDIX A

Exhibit Cover Sheet

Party
submitting: _____ **Ex. #**____

Admitted: Yes or No (circle one)

Debtor:_____

Case No.:_____

Adv. No.:_____

**Nature of Hearing/
Docket No:**_____

**United States Bankruptcy Court
Middle District of Florida**

Dated _____ , 20____.

By:_____, **Deputy Clerk**

APPENDIX B

Notes of Advisory Committee

2011 Amendment

This amendment adopts new procedures to accommodate the use of electronic scanning of exhibits which can be impaired by the use of permanently bound or stapled originals. Paragraph (i) was amended to permit the Clerk to dispose of exhibits left unclaimed for 30 days. This amendment incorporates archived Administrative Orders 99-0001-1-MIS-ORL and 99-00001-MIS-JAX Disposal of Unclaimed Exhibits. A sample Exhibit List (Appendix A) and Exhibit Cover Sheet (Appendix B) are provided. The addition of headings and subheadings is intended to be a stylistic rather than substantive change.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997. This rule was formerly Local Rule 2.13. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

1995 Amendment

The amendment to Local Rule 2.13(e) requires that additional copies of exhibits shall be made available for use by witnesses. The deletion of the word "period" after "trial" is stylistic; no substantive change is intended.

The provisions in Local Rule 2.13(h), which dealt with notification to counsel of the obligation to pick up exhibits and the consequence of the failure to do so, have been deleted as this is now dealt with exclusively by Local Rule 2.13(i). For purposes of Local Rule 2.13(i), the term "post-judgment motion" shall mean a timely motion; (1) to amend or make additional findings of fact under Fed. R. Bankr. P. 7052, whether or not granting the motion would alter the judgment; (2) to alter or amend the judgment under Fed. R. Bankr. P. 9023; (3) for a new trial under Fed. R. Bankr. P. 9023; or (4) for relief under Fed. R. Bankr. P. 9024 if the motion is filed no later than ten (10) days after the entry of judgment.

These amendments were effective on February 15, 1995.